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## **PRESS RELEASE**

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**FOR IMMEDIATE RELEASE  
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For Information Contact Public Affairs  
Mike Johns (602) 514-7566

### **19 YEAR OLD SAN CARLOS RESIDENT SENTENCED TO PRISON FOR INVOLUNTARY MANSLAUGHTER AFTER CAR CRASH**

PHOENIX, ARIZONA -The United States Attorney's Office for the District of Arizona, announced today that Derrick Lee Smith, age 19, an enrolled member of the San Carlos Apache Indian Tribe and resident of Peridot, Arizona, was sentenced today to 13 months in prison for Involuntary Manslaughter, by United States District Court Judge Paul G Rosenblatt, in Phoenix, Arizona. Along with the prison sentence, Smith was ordered to pay \$4,317 in restitution and perform 150 hours of community service. The case arose after a car driven by Smith crashed and killed Harold Aaron Bowman, age 24, of Peridot, Arizona, on June 3, 2000.

At the sentencing, the defendant turned to Harold Aaron Bowman's family, including his mother, Priscilla Steele, and told them that he was very very sorry for what had happened. Ms. Steele then told the court that she missed her beloved son and he was a good person. Assistant U.S. Attorney Frederick A. Battista stated, "After the defendant is released from prison, he will be supervised by a federal probation officer for three years. If he is caught drinking or using drugs during that time, we will seek to have him returned to prison."

Smith previously plead guilty to involuntary manslaughter on March 26, 2001. Smith admitted the following facts during his guilty plea proceeding. On June 3, 2000, on the San Carlos Indian Reservation, Smith spent the day drinking beer with friends. Smith and his friends went to Point of Pine Lake to barbeque and drink beer. Smith also smoked marijuana at the lake. After several hours, the five decided to drive home. Smith was at the wheel as they traveled eastbound on Indian Route No. 8 by Mile Post 15 and Bronco Canyon. The speed limit on this section of level, undivided and asphalt highway was 55 miles per hour. The weather was clear and dry. Smith was driving at least 25 miles per hour over the speed limit, was unable to keep the car in its proper lane and was advised by at least one of his passengers he needed to slow down. Smith ignored the warning and continued to drive in a reckless manner. Ultimately, Smith started to lose control of the car as it was going around a curve. Smith overcorrected and started the car into a counterclockwise spin. The car crossed the eastbound lane and traveled up a dirt embankment on the south side of the roadway. As this point, the car started to flip over and rolled over approximately three times. At least one of the passengers was ejected from the car as it rolled over and over. Smith fled from the scene on foot and was contacted by law enforcement officers after he attempted to find a ride away

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from the area. As a result of the crash, Harold Aaron Bowman suffered lacerations to his head, torso, and extremities; fractures to his ribs, sternum, right humerus and left humerus; and a fatal blunt impact to his head with a pontomedullary laceration. Harold Aaron Bowman died at the scene as a direct result of the defendant's reckless conduct. An analysis of the Smith's blood drawn after the crash showed it to contain 0.126 % w/v ethyl alcohol and metabolites of marijuana and cocaine. After the crash, the car was inspected by a certified mechanic and found to have been in working order prior to the crash.

A conviction for involuntary manslaughter in violation of 18 U.S.C. § 1112 is punishable by up to six (6) years of imprisonment, a maximum fine of \$250,000.00 or both.

The defendant has been in custody since November 28, 2000 and will remain in federal custody for the duration of his sentence.

The investigation in this case was conducted by the Federal Bureau of Indian Affairs with assistance from the San Carlos Police Department. The prosecution was handled by Frederick A. Battista, Assistant United States Attorney, District of Arizona, Phoenix, Arizona.

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